

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SUITS- Telugu Ganga Project- Nandyal Unit-Kurnool District-O.P.No. 476/99 & batch (16 Cases) -Velugodu Village and Mandal- Final decretal amount of Rs. **29,19,982**- Sanction orders-Issued.

IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 496

Dated: 29 .07.2010

Read the following:

- 1) From the Special Chief Secretary to Government and Chief Commissioner of Land Administration, A.P. Hyderabad
Lr. CCLA's Ref. No.S2/19/2010, Dated: 3.4.2010.
- 2) From the Special Collector, Srisailem Project, Kurnool
Lr.Rc.A2/577/2007, Dated: 29.12.2009

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad and Special Collector, Srisailem Project, Kurnool in the references 1st and 2nd read above, have submitted the proposal relating to dry land in Survey No. 1227/C2 etc., for an extent of Ac.43.21 of Velugodu Village and Mandal acquired by fixing the market value @ Rs. 6,500/- per acre through Award No. 1/84, dated: 6.11.1984 for construction of staff quarters under T.G.P. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions u/s. 18(1) of L.A. Act with a request to refer the matter to the Civil Court for adjudication. On making references u/s. 18 to the Lower Court, the Senior Civil Judge, Atmakur had delivered Judgments enhancing the market value from Rs. 6,500/- to Rs. 30000/- per acre (362%) in O.P. Nos. 476/99 & batch (16 cases). Aggrieved with the market value enhanced by the Lower Court, the Special Deputy Collector, T.G.P. Nandyal has addressed the Government Pleader for appeals, Andhra Pradesh High Court, Hyderabad. The Government Pleader for appeals, High Court of A.P. Hyderabad has opined that the reference court observed that rain-fed dry lands were awarded at Rs. 20,000/- per acre which was also confirmed by the Hon'ble High Court in batch of appeals. Since the present land is acquired for the purpose of construction of staff quarters, means suitable for construction of houses, reference court awarded Rs.10000/- more than the compensation granted to rain fed lands. Moreover, there is a gap between the two notifications. Considering all the aspects, these are not fit cases to prefer for appeal before the Hon'ble High Court. He has also advised to comply with the common order passed by the reference court without further delay, so as to avoid payment of exorbitant rate of interest.

2. The Special Collector, T.G.P. Nellore has requested to examine in Legal Cell and recommend for sanction of decretal proposals towards final decretal charges in respect of O.P.Nos. 476/99 & batch of Velugodu village and Mandal for Rs. 29,19,982/- (Rupees twenty nine lakhs nineteen thousand nine hundred and eighty two only) to avoid further legal complications in Velugodu Balancing Reservoir. The same amount has been forwarded by the Special Chief Secretary to Government & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad.

3. Government after careful examination of the matter, hereby accord sanction for an amount of **Rs. 29,19,982/- (Rupees Twenty nine Lakhs Nineteen thousands Nine hundred Eighty two only)** towards decretal charges to be deposited in Lower Court in respect of **O.P.No. 476/99 & (16 cases)** pertaining to Velugodu Village and Mandal, Kurnool District in Survey (P.T.O)

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No. 1227/C2 etc., acquired through award No. 1/84, Dated: 6.11.1984 for the purpose of construction of staff quarters, subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/Chief Commissioner of Land Administration, Hyderabad, immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the Special Collector, Srisailam Project, Kurnool should verify the calculations made by the LAO, once again thoroughly with reference to the decree and instructions issued by the Government/Chief Commissioner of Land Administration, Hyderabad on the subject from time to time, before depositing the amount in the Lower Court.

4. The Special Collector, SSP, Kurnool is directed to follow the directions issued by the Hon'ble High Court on 30.4.2007 in W.P. No. 2181/2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No. 476/99 (16 cases) for avoiding intervention of the middlemen.

5. The amount sanctioned in Para (4) above shall be debitible to the Head of Account under "4701 -COL on Major and Medium Irrigation; 01 - Major Irrigation (Commercial); MH 123 -TGP; G.H. 11- Normal State Plan; S.H. (26) D&A Works ; 530 Major Works; 532 - Lands (charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure may be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

6. This order issues with the concurrence of Finance (W&P) Department vide their U.O.No. 2450/F7(A2)/2010, Dated: 18.5.2010.
(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYANATH DAS,
SECRETARY TO GOVERNMENT.

To

The Special Chief Secretary & Chief Commissioner of
Land Administration, A.P. Hyderabad
The Special Collector, Srisailam Project, Kurnool
The Special Deputy Collector, L.A. T.G.P, Nandyal
The Engineer-in-Chief, Hyderabad
The Revenue Divisional Officer, Nandyal
The Superintending Engineer, I & CAD, Kurnool
The Director of Works and Accounts, Hyderabad
The District Treasury Officer, Kurnool
The Joint Director, Works & Accounts, Srisailam, Kurnool
The Pay & Accounts Officer, Kurnool
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P.S. to Minister (M & MI)
Law Department/Finance (W&P) Department
Secretary (RRM) peshi
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//FORWARDED BY ORDER//

SECTION OFFICER